

Article - Transportation

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§24–111.

(a) (1) In this section and in § 24–111.1 of this subtitle the following words have the meanings indicated.

(2) “CVISN” means the Commercial Vehicle Information Systems and Network, a motor carrier program managed by the Department, together with other State agencies.

(3) “CVISN transponder” means an electronic device acquired by motor carriers to allow electronic signaling through CVISN.

(4) “Police officer” means:

(i) Any uniformed police officer;

(ii) Any civilian employee of the Department of State Police or the Maryland Transportation Authority Police assigned to enforce this subtitle, but only while acting under written authorization of the Secretary of State Police; or

(iii) Any civilian employee of a local government who is:

1. Acting under the immediate direction and control of a uniformed police officer;

2. Acting under written authorization of the Secretary of State Police; and

3. Certified by the Department of State Police to perform the weighing and measurement authorized under this section.

(b) (1) The driver of a vehicle must stop and submit the vehicle to a measurement or weighing:

(i) When directed by a police officer who has reason to believe that the size or weight of a vehicle being driven on a highway violates this subtitle; or

(ii) When directed by an electronic signal to a CVISN transponder.

(2) The weighing authorized by this subsection:

(i) May be done with either portable or stationary scales; and

(ii) In either case, shall be done by methods established by experts in the field of weights and measures and adopted by rule or regulation of the Department of State Police.

(3) If more than 1 statutory weight limit tolerance applies to a vehicle being weighed under this section, the police officer shall grant only the greatest applicable tolerance.

(c) The operation of a vehicle on any highway in this State constitutes the consent of the driver and the owner of the vehicle to the measurement and weighing provided for in this section.

(d) (1) The driver of a vehicle shall obey every sign and every direction of a police officer or an electronic signal to a CVISN transponder to stop the vehicle and submit it to measurement or weighing.

(2) If a driver fails or refuses to comply with the direction of a police officer or an electronic signal to a CVISN transponder to submit a vehicle to measurement or weighing, the police officer shall have the authority to take the vehicle and its load into temporary custody for the purpose of weighing and measuring.

(3) The police officer may utilize resources specified in § 16–303.1(b) of this article to conduct the weighing or measuring.

(4) In addition to any fine or penalty attributable to the weighing and measuring, or other offense, the driver is responsible for any actual costs incurred in weighing and measuring the vehicle and its load because of the driver's failure or refusal to comply with the direction of a police officer or an electronic signal to a CVISN transponder.

(e) A sign used to direct vehicles under this section may be displayed only by a police officer who is assigned to enforce this title.

(f) A person convicted of a violation of subsection (d) or (e) of this section is subject to:

(1) For a first offense, a fine not exceeding \$1,000;

- (2) For a second offense, a fine not exceeding \$2,000; and
- (3) For a third or subsequent offense, a fine not exceeding \$3,000.

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